

David Porter

From: "David Porter" <DPorterLaw@ameritech.net>
To: "Telman, Nigel F." <ntelman@Sidley.com>
Sent: Thursday, June 19, 2008 8:24 PM
Subject: Carol Rodgers v. McDonald's Corp.

Nigel:

This afternoon we had a Local Rule 37.2 conference by telephone that lasted for approximately 35 minutes, with you also calling me later in the afternoon after speaking with your client, Defendant McDonald's.

With regards to the discovery issues contained in my June 10th letter, we were able to work out some issues, and were not able to work out other issues, and more specifically the following occurred:

- As to our claimed deficiencies with Defendant's Responses to Plaintiff's First Document Demands:
 - McDonald's, by Tuesday of next week (6/24), will provide to me a supplemental response that specifies the applicable bates numbers responsive to each of the particular requests where documents have been provided;
 - on the issue of our assertion that McDonald's has used an overly narrow - and what we believe to be a clearly unreasonably narrow - definition of the relevant issues, McDonald's was not willing to revise its responses and/ or provide any further documents
- As to our claimed deficiencies with Defendant's Responses to Plaintiff's Interrogatory Demands:
 - As to Nos. 2 and 4, McDonald's agreed to provide additional information as we had requested in my June 10th letter, with such supplemental interrogatory responses to be provided to me by Tuesday of next week (6/12)
 - As to Nos. 5, 9, 10, and 12, McDonald's was not willing to supplement its answers.

We agreed that as to the aforesaid supplemental information that McDonald's has agreed to provide, that if I am not satisfied with what I receive in such supplementation then you and I will not have to have another Local Rule 37.2 conference before I file a motion to compel.

You also advised that notwithstanding my advice that Plaintiff Rodgers was prepared to go forward with her being deposed next Wednesday (6/25), that you wanted to put off her deposition for now and to reschedule it at a further date, and so her deposition will not go forward next Wednesday.

Please advise me in writing if you believe any of the above is incorrect.

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